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U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 OAKLAND DIVISION

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10 Alexis Mager Lakusta,) C-07-03085 SBA
11 Appellant) Bankruptcy Court No. 02-31521
12 v.)
13 Mark Evans, et al.,) **APPLICATION FOR EXTENSION
14 Appellees) OF TIME TO FILE OPENING
BRIEF**

15
16 Appellant Alexis Lakusta hereby requests that the date for his opening
17 brief in the above-cited case be extended to December 26, 2007. The Court
18 issued an order on November 6, 2007 ordering that his opening brief be
19 served and filed no later than December 5, 2007. The order further states
20 that the case "will be dismissed" if appellant fails to file a brief by that date
21 "for failure to prosecute".

22 Judge Armstrong's order notwithstanding, Mr. Lakusta, a pro se litigant
23 who is attempting to assert his inalienable right to protect his property, as
24 guaranteed by Article 1, Section 1 of the California Constitution, and who is,
25 not incidentally, also attempting to protect the significant financial

1 interests of his legitimate creditors (please see **exhibit A** of the accompanying-
2 Declaration), respectfully states his belief that his request for an
3 extension of time to file and serve his opening brief in this appeal is not
4 unreasonable in light of the concurrent filing deadlines in immediately
5 related cases.

6 This appeal is one of several appeals currently being prosecuted by Mr.
7 Lakusta in the California Court of Appeal (one appeal), in the United States
8 Court of Appeals for the Ninth Circuit (two appeals), and in this court (two
9 appeals) concerning the same matter of an equity theft scheme and a fraud
10 on the court by Defendants Evans, et al. and by Defendant Evans' attorneys
11 (not limited to Pahl and McCay and specifically to Mr. Stephen Pahl and Ms.
12 Catherine Schlomann Robertson of that firm). The fraud on the court was
13 intended to conceal a bankruptcy fraud scheme from the scrutiny of the
14 court (please see **exhibit B**, an excerpt from one of the informal opening
15 briefs Mr. Lakusta is writing for the Ninth Circuit Court of Appeals, for an
16 summary overview of the nature of the case and a statement of the legal
17 issues involved). The appeals are all the direct outgrowth of the same
18 matter for which Mr. Lakusta originally sought the assistance of the United
19 States Bankruptcy Court upon the advice of attorney Robert R. Patterson
20 (see **exhibit C** of the supporting Declaration), and it would be a complete
21 fiction to separate out any one of the appeal cases referred to above,
22 including this one, from the other appeals and not consider the prosecution
23 of the case in its entirety.

24 Mr. Lakusta was denied an opportunity to discuss with this court his
25 concurrent filing obligations in other courts in the prosecution of the overall

1 case when the case management conference for this case, which had been
2 scheduled for October ~~15~~²⁵, 2007 and for which Mr. Lakusta appeared in the
3 courtroom of Judge Armstrong on the appointed day and at the appointed
4 hour, was taken off the calendar without notice of any kind to Mr. Lakusta
5 or to any creditors of the Lakusta bankruptcy estate (please see **exhibit D**).

6 For these reasons Mr. Lakusta respectfully requests that the court
7 extend the filing deadline to December 26, 2007. A declaration and a
8 proposed order accompany this application.

9 I declare under the penalty of perjury under the laws of the United
10 States of America that the foregoing is true and correct.
11

12 Dated: December 5, 2007

Alexis Mager Lakusta

13 Alexis Mager Lakusta,
Appellant, pro se

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